

**STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES**

December 8, 2005
10:30 am
City Hall – Council Chambers
2212 Beach Boulevard
Pacifica, CA

MEMBERS PRESENT:

Douglas Bosco (Public Member), Chair
Gary Hernandez (Public Member), Vice Chair
Jeremy M. Hallisey (Public Member)
Karen Scarborough (Designated Representative, Resources Agency)
Meg Caldwell (California Coastal Commission Chair)
Fred Klass (Designated Representative, Department of Finance)

OVERSIGHT LEGISLATORS PRESENT:

Julia McIver, representing Senator Sheila Kuehl
Craig O'Donnell, representing Assembly Member John Laird

OTHERS PRESENT:

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Jack Judkins, Legal Counsel

2. APPROVAL OF MINUTES:

The Minutes of the October 27, 2005 Public Meeting and the Minutes of the November 17, 2005 Teleconference Meeting were approved without change.

3. Welcome – Julia Lancelle, Mayor of Pacifica, and 10 minute slide show presentation of Coastal Conservancy supported projects in Pacifica.

4. LAGUNA DE SANTA ROSA

Maxene Spellman of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff recommendation: Mark Green and Dan Schurman, Laguna Foundation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the Laguna de Santa Rosa Foundation

(“the Foundation”) for riparian habitat and oak savannah restoration and for the preparation of engineering designs and environmental documentation for seasonal wetland restoration in the Laguna de Santa Rosa, subject to the condition that prior to disbursement of Conservancy funds, the Foundation shall submit for the review and written approval of the Executive Officer of the Conservancy a detailed work program, schedule, and budget and the names and qualifications of any contractors to be employed in carrying out the project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code Sections 31160-31164.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The Laguna de Santa Rosa Foundation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

5. PRICE CREEK RANCH

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff recommendation: Maya Conrad, Northcoast Regional Land Trust; George Yandell, The Nature Conservancy and Jeff Calvert, CA Department of Forestry and Fire Protection (CDF); Steve Hackett

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$1,000,000 to the California Department of Forestry and Fire Protection (“CDF”) to acquire a conservation easement on the Price Creek Ranch (Humboldt County Assessor’s Parcel Numbers 102-101-001, 106-161-011, 106-161-012, 106-161-013, 106-171-001, and 106-171-003) as depicted in Exhibit 1 of the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds for the acquisition of the conservation easement CDF shall:
 - a. Submit to the Conservancy for review and approval by the Executive Officer of the Conservancy (“the Executive Officer”), all documents relevant to acquisition, not limited to an appraisal, purchase agreement, final conservation easement, escrow instructions, and documents of title.

- b. Provide written evidence to the Executive Officer that all other funds necessary to the acquisition have been obtained.
2. CDF shall pay no more than fair market value for the conservation easement as established by an appraisal approved by the Executive Officer of the Conservancy.
3. The easement interest acquired under this authorization shall be permanently dedicated to and managed and operated in a manner consistent with the purposes of protecting riparian habitat, preserving the function and sustainability of the forestlands, protecting the rangeland for grazing and preserving and protecting the scenic open space characteristics of the property
4. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign that has been reviewed and approved by the Executive Officer
5. Prior to disbursement of funds, consultation with the State Water Resources Control Board, pursuant to Section 31220(a) of the Public Resources Code, shall be completed.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and criteria of Chapter 5.5 of Division 21 of the Public Resources Code (Section 31220) regarding protection of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The California Department of Forestry and Fire Protection is a public agency whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

6. WINDSOR RIVERFRONT PARK

Richard Retecki of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Mary Burns, Director, Sonoma County Regional Parks

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred seventy-five thousand dollars (\$275,000) to the County of Sonoma for use by the Sonoma County Regional Parks Department (RPD) in the development of public access improvements described in the accompanying staff recommendation at Windsor Riverfront Park, along the Russian River, subject to the following conditions:

1. Prior to the disbursement of funds, the RPD shall submit for the written approval of the Conservancy's Executive Officer a budget, work program, the names of any contractors it proposes to hire, evidence that all other funds and necessary permits have been obtained, and, a signing plan for the project that acknowledges Conservancy funding.
2. The RPD shall secure all additional funds necessary for the full implementation of the project.
3. The RPD shall carry out all mitigation measures and implement the Mitigation Monitoring Plan as specified in Appendix A to the Negative Declaration attached as Exhibit 4 to the accompanying staff recommendation."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 9 of division 21 of the Public Resources Code (Sections 31400 et seq.) related to the development of a system of public accessways to and along the California coast.
2. The proposed project is consistent with the Conservancy's Project Guidelines and Selection Criteria adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve greater than local public access needs.
4. The Conservancy has independently reviewed the Riverfront Park Project Master Plan & Initial Study adopted by the Sonoma County Board of Supervisors on June 22, 2004 as the Mitigated Negative Declaration for this project (attached to the accompanying staff recommendation as its Exhibit 4) and finds that, with the mitigation measures described therein, there is no substantial evidence that the proposed project would have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
5. There is no evidence before the Conservancy that the proposed project will have a potentially adverse impact on wildlife resources as defined under California Fish and Game Code Section 711.2.
6. The Conservancy has on the basis of substantial evidence rebutted the presumption of adverse effect contained in 14 California Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2."

Moved and seconded. Approved by a vote of 6-0.

7. GUERNVILLE RIVER PARK

Richard Retecki of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to the County of Sonoma for use by the Sonoma County Regional Parks Department (RPD) in the development of public access improvements described in the accompanying staff recommendation at Guerneville River Park, along the Russian River, subject to the following conditions:

1. Prior to the disbursement of funds, the RPD shall submit for the written approval of the Conservancy’s Executive Officer a budget, work program, the names of any contractors it proposes to hire, evidence that all other funds and necessary permits have been obtained, and, a signing plan for the project that acknowledges Conservancy funding.
2. The RPD shall secure all additional funds necessary for the full implementation of the project.
3. The RPD shall carry out all mitigation measures and implement the Mitigation Monitoring Plan as specified in Appendix A to the Negative Declaration attached as Exhibit 4 to the accompanying staff recommendation.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 9 of division 21 of the Public Resources Code (Sections 31400 et seq.) related to the development of a system of public accessways to and along the California coast.
2. The proposed project is consistent with the Conservancy’s Project Guidelines and Selection Criteria adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve greater than local public access needs.
4. The Conservancy has independently reviewed the Riverfront Park Project Master Plan & Initial Study adopted by the Sonoma County Board of Supervisors on June 22, 2004 as the Mitigated Negative Declaration for this project (attached to the accompanying staff recommendation as its Exhibit 4) and finds that, with the mitigation measures described therein, there is no substantial evidence that the proposed project would have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
5. There is no evidence before the Conservancy that the proposed project will have a potentially adverse impact on wildlife resources as defined under California Fish and Game Code Section 711.2.
6. The Conservancy has on the basis of substantial evidence rebutted the presumption of adverse effect contained in 14 California Code of Regulations Section 753.5(d) regarding the potential for adverse effect on wildlife resources as defined under California Fish and Game Code Section 711.2.”

Moved and seconded. Approved by a vote of 6-0.

8. SANTA CRUZ BRANCH RAIL LINE

Joan Cardellino of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Pat Dellin, Executive Director, Santa Cruz County Regional Transportation Commission; Dennis Norton, Mayor, City of Capitola; Ellen Pirie, Santa Cruz County Supervisor and Chair, Santa Cruz County Regional Transportation Commission.

Speaking in opposition of Staff Recommendation: Robert Jones

Resolution:

“The State Coastal Conservancy (Conservancy) hereby authorizes disbursement of up to ten million dollars (\$10,000,000) to the Santa Cruz County Regional Transportation Commission (RTC) for acquisition of the property known as the Santa Cruz Branch Rail Line, as shown on Exhibit 2 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds:
 - a. RTC shall submit for review and approval of the Executive Officer of the Conservancy all title and acquisition documents pertaining to acquisition of the property, including, without limitation, appraisals, environmental assessments, documents of title, agreements for purchase and sale, escrow instructions, and instruments of conveyance.
 - b. RTC shall provide to the Executive Officer evidence that all funds necessary to complete the acquisition of the property are available.
2. The purchase price of the property shall not exceed fair market value for the property, as established in an appraisal approved by the Executive Officer.
3. RTC shall permanently dedicate a strip of land extending along the length of the property for future use as a bicycle and pedestrian trail, except those segments where the placement of the trail on the Property is not reasonably feasible. Dedication shall be through an appropriate instrument approved by the Executive Officer and recorded concurrently with the deed by which RTC acquires title to the property.
4. RTC shall repay to the Conservancy the principal amount of all funds disbursed to it under this authorization, without interest, as follows:
 - a. If, after the acquisition of the property, RTC receives any state or federal transportation funds that are designated for the acquisition of the property, RTC shall promptly pay the Conservancy in the amount of those funds.

- b. If RTC has not repaid the total amount of funds disbursed under this authorization by June 30, 2011, RTC shall make annual payments to the Conservancy in the amount of at least one million dollars (\$1,000,000) until RTC has repaid the Conservancy in full. Each annual payment shall be made no later than June 30 of each year, commencing with a payment on June 30, 2011.
5. RTC shall provide evidence that the California Transportation Commission has approved an amendment pursuant to AB 3090 and the California Department of Transportation has executed a reimbursement agreement under the State Transportation Improvement Project program authorizing reimbursement of ten million dollars to the RTC in fiscal year 2010/2011 or earlier for costs expended in the acquisition of the property.
6. RTC shall acknowledge Conservancy funding by erecting and maintaining on the property a sign or signs, the location, design and placement of which has been reviewed and approved by the Executive Officer.
7. If and when portions of the property have been developed as a pedestrian and bicycle trail, on request of the Conservancy, RTC shall permit alignment of a segment of the California Coastal Trail on those portions of the property and permit the placement of signs identifying it as a segment of the California Coastal Trail.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 to 31409) regarding a system of public accessways.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve more than local public needs.
4. The Conservancy has independently reviewed and considered the Negative Declaration for the Santa Cruz Branch Rail Line acquisition, attached to the accompanying staff recommendation as Exhibit 3, and finds that there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382”.

Moved and seconded. Approved by a vote of 6-0.
Board member Karen Scarborough left the meeting.

9. WESTERN SNOWY PLOVER AND CALIFORNIA LEAST TERN

Kara Kemmler of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred fifty thousand dollars (\$150,000) to the United States Fish and Wildlife Service (FWS) to conduct an recovery and access management program for the Western Snowy Plover and California Least Tern on publicly owned beaches in Ventura County, subject to the condition that, prior to the disbursement of any funds, the FWS shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, including scope of work, budget and schedule, and the names of any contractors it intends to use to conduct the project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of the Public Resources Code (§§ 31400, *et seq.*) regarding public access and will serve access needs beyond those of the local community.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Board member Meg Caldwell, moved that this agenda item be approved with the resolution revised to add another condition to the grant as follows: “In carrying out the work under this grant, the grantee (FWS) shall coordinate and cooperate with existing programs.” The motion was seconded and approved by a vote of 5-0.

9. LOS CERRITOS WETLAND

Mary Small of the Coastal Conservancy presented the Staff Recommendation.

After discussion, Chair Doug Bosco suggested continuing the agenda item until the February 3, 2006 meeting for additional information and clarification by staff regarding the proposed Joint Powers Authority. The other members of the Conservancy concurred.

Board member Gary Hernandez left the meeting.

10. CALIFORNIA COASTAL TRAIL EMBLEM

Marina Cazorla of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor or the Staff Recommendation: Richard Nichols, Coastwalk.

Resolution:

“The State Coastal Conservancy hereby approves the design shown as Option B in Exhibit 1 of the accompanying staff recommendation as the official emblem of the California Coastal Trail, and directs the Executive Officer to prepare final specifications for use of the emblem as a trail marker. In so doing, the Executive Officer shall continue to work with all agencies concerned with the planning and management of the Coastal Trail, and the Conservancy authorizes the Executive Officer to make any design modifications to the Coastal Trail emblem that may be necessary to meet regulatory requirements or satisfy other end-user needs so as to expedite the installation of Coastal Trail markers.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 9 of the Public Resources Code (Sections 31499-31409) regarding public accessways.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Moved and seconded. Approved by a vote of 6-0.

11. CONSENT

A. ARGANO RANCH

Resolution:

“The State Coastal Conservancy hereby authorizes the redirection of up to four hundred thousand dollars (\$400,000), which was previously authorized for disbursement to the City of San Luis Obispo for acquisition of the Ahearn Ranch, for disbursement, instead, to the Land Conservancy of San Luis Obispo County (grantee) for the acquisition and restoration of a 17.5-acre portion of the Argano Ranch (San Luis Obispo County Assessor’s Parcel No. 076-251-032), as depicted on Exhibit 4 to the accompanying staff recommendation, subject to the following conditions:

1. Prior to disbursement of Conservancy funds for the acquisition:
 - a. The grantee shall submit for the review and approval of the Executive Officer of the Conservancy (“Executive Officer”) all relevant acquisition documents, including but not limited to the appraisal, agreement of purchase and sale, environmental assessments, escrow instructions, and documents of title;
 - b. The grantee shall provide evidence that all funds necessary to complete its acquisition of portions of the Argano Ranch are available.
2. The purchase price of the 17.5-acre portion of the Argano Ranch shall not exceed

fair market value for the property, as established in an appraisal approved by the Conservancy.

3. The grantee shall permanently dedicate the 17.5-acre portion of the Argano Ranch for natural resource protection, public access, open space preservation and agricultural land preservation by an appropriate instrument approved by the Executive Officer and recorded, in accordance with Public Resources Code Section 31116(b).
4. If the grantee receives State Department of Fish and Game (DFG) grant funds for acquisition of the subject property, within three months of receiving the DFG grant funds the grantee shall reimburse the Coastal Conservancy in the full amount of the DFG grant funds.
5. Prior to the disbursement of restoration funds, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that it has obtained all necessary permits and approvals, and all other funds necessary to complete the proposed restoration projects.
 - b. A final work program, including a budget, schedule, and names of any contractors and subcontractors to be employed for these tasks.
6. In implementing the restoration activities funded under this authorization, the grantee shall carry out all requirements and/or conditions contained in all necessary approvals and permits.
7. Conservancy and Proposition 12 funding shall be acknowledged by erecting and maintaining a sign on the Argano Ranch, the design and location of which has been reviewed and approved by the Executive Officer.
8. Any revenues generated from leases and rents on the property shall be utilized by the grantee solely for maintenance, operation or management of the property consistent with the purposes of the acquisition, as described in condition number 3, above.”

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251 to 31270) regarding enhancement of coastal resources.
2. The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001.

3. The Land Conservancy of San Luis Obispo County is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, whose purposes are consistent with Division 21 of the Public Resources Code.
4. The project area has been identified in San Luis Obispo County's Local Coastal Plan as requiring public action to resolve existing or potential resource protection problems.”

B. BAY MARSHES TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of up to three hundred ninety-five thousand dollars (\$395,000) to the City of San Mateo (“City”) for construction of a boardwalk spur trail located between Seal Point and Tidelands Park.

This authorization is subject to the following conditions:

1. Prior to the disbursement of Conservancy funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget.
2. Posted signs resulting from this project shall, where deemed appropriate by the Executive Officer, recognize the contribution of the Conservancy and display its logo.
3. The City of San Mateo shall implement the relevant mitigation measures and the relevant portion of the mitigation monitoring and reporting program contained in the Mitigated Negative Declaration for the Bay Marshes Trail, adopted by the City of San Mateo on November 20, 2000 pursuant to the California Environmental Quality Act (“CEQA”).”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of Public Resources Code Sections 31160-31156, regarding the San Francisco Bay Area Conservancy Program.
2. In all other respects, the proposed authorization is consistent with the Conservancy’s authorization of October 27, 2005.”

C. CALIFORNIA COASTAL TRAIL

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of three hundred thousand dollars (\$300,000) to the nonprofit organization Coastwalk, Inc. to provide assistance to the

Conservancy, Coastal Commission, State Parks and other agencies in the planning, design and implementation of the California Coastal Trail (“the trail”), including collection and analysis of geographic data, creation and distribution of public information concerning the trail, and organization of community stewardship efforts for management of portions of the trail.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The Conservancy is authorized to grant funds to Coastwalk, Inc. to assist in the development of the California Coastal Trail by Public Resources Code Sections 31400 and 31400.3.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Coastwalk is a private nonprofit organization existing under the provisions of Section 501(c)(3) of the U.S. Internal Revenue Code, whose principal charitable purposes - - the preservation of and promotion of access to public lands and tidelands, and the establishment of the California Coastal Trail - - are consistent with Division 21 of the Public Resources Code.”

D. BALLONA WETLANDS

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred thousand dollars (\$200,000) to Santa Monica Bay Restoration Foundation for planning, technical review, data collection and public outreach to support the restoration of the Ballona Wetlands, approved by the Conservancy on December 2, 2004. This authorization is subject to the condition that prior to disbursement of funds, the Conservancy’s Executive Officer shall approve the work plan, budget and the contractor for this work.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project authorization is consistent with Public Resources Code Sections 31251-31270, regarding the Conservancy’s mandate to protect and enhance coastal resources.
2. The proposed project authorization is consistent with Public Resources Code Sections 31400-31409, regarding the Conservancy’s mandate to assist in the development of a system of public accessways to and along the coast.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The project serves greater than local need.

5. The Santa Monica Bay Restoration Foundation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and which purposes are consistent with Division 21 of the Public Resources Code.”

E. PESCADERO CREEK

Speaking in opposition to the Staff Recommendation: Ron Sturgeon

Resolution:

“The State Coastal Conservancy hereby authorizes the amendment of its August 14, 2003 authorization to disburse to Sustainable Conservation an amount not to exceed one hundred twenty thousand dollars (\$120,000) to construct a well as a component of a fish barrier removal project in San Mateo County’s Memorial County Park (part of the Pescadero Park complex) at Pescadero Creek, and an amount not to exceed twenty thousand dollars (\$20,000) to prioritize other San Mateo County fish barrier removal projects for possible implementation, subject to the following condition:

Prior to the disbursement of funds, Sustainable Conservation shall submit in writing for the review and approval of the Conservancy’s Executive Officer:

- a. A final work program, schedule and budget; signing program acknowledging assistance from the Conservancy; and any contractors to be employed in implementation of both components of the project.
- b. Evidence that all necessary permits and approvals have been obtained for the construction of the well. ”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of the Public Resources Code (Sections 31251-270) regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project remains consistent with the findings made in the Conservancy’s August 14, 2003 authorization with respect to nonprofit status for Sustainable Conservation.”

F. SAN FRANCISCO BAY COMMUNITY –BASED HABITAT RESTORATION

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$100,000 to Save San Francisco Bay Association to restore habitat at six San Francisco Bay shoreline locations in conjunction with volunteers and students, as follows:

- Schoolhouse Creek in the Eastshore State Park (Berkeley)
- Damon Slough in the Martin Luther King, Jr. Shoreline (Oakland)
- San Francisquito Creek in the Palo Alto Baylands Nature Preserve within the Don Edwards National Wildlife Refuge (Palo Alto)
- Bair Island in the Don Edwards National Wildlife Refuge (San Mateo)
- East Marin Island in the Marin Islands National Wildlife Refuge and State Ecological Preserve (San Rafael)
- Tolay Creek in the San Pablo Bay National Wildlife Refuge (unincorporated Sonoma County)

For each of these six projects, prior to the commencement of the project and disbursement of Conservancy funds to implement it, the grantee shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule, budget, names of any intended contractors, and a plan for acknowledging Conservancy funding. For each project site, the grantee shall also submit for review and approval an agreement or other instrument providing for access to the site for project implementation and subsequent monitoring.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Public Resources Code Sections 31160-31164 regarding the Conservancy’s mandate to address the resource goals of the San Francisco Bay Area.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The grantee is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and whose purposes are consistent with Division 21 of the California Public Resources Code.”

G. GREENINFO NETWORK BALLONA WETLANDS

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred thousand dollars (\$100,000) to the Green Info Network for mapping and geographic information services associated with the restoration planning for the Ballona Wetlands, subject to the condition that prior to disbursement of funds, the Conservancy’s Executive Officer shall approve the work plan and budget for this work.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project authorization is consistent with Public Resources Code Sections 31251-270 regarding the Conservancy’s mandate to protect and enhance coastal resources.
2. The proposed project authorization is consistent with Public Resources Code Sections 31400-31409, regarding the Conservancy’s mandate to assist in the development of a system of public accessways to and along the coast.
3. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
4. The project serves greater than local need.
5. The Green Info Network is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and which purposes are consistent with Division 21 of the Public Resources Code.”

H. PINE GULCH CREEK

Resolution:

“The State Coastal Conservancy hereby amends its August 14, 2003 authorization to now disburse an amount not to exceed fifty-thousand dollars (\$50,000) to Sustainable Conservation, for the preparation of final design and permits for an offsite water storage facility to assist in the conservation of anadromous fish resources in Pine Gulch Creek, a tributary to the Bolinas Lagoon, in Marin County, subject to the following condition:

Prior to the disbursement of funds for the project, the Executive Officer of the Conservancy shall approve in writing a final work program, including schedule and budget, and any contractors to be employed for the project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria set forth in Chapter 6 of the Public Resources Code (Sections 31251-270) regarding the enhancement of coastal resources.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Sustainable Conservation is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

I. FAIRHAVEN ‘T’ ACCESS POINT

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed fifty thousand dollars (\$50,000) to Humboldt County (“the County”) to rehabilitate the Fairhaven ‘T’ Access Point located on the north spit of Humboldt Bay, as depicted in Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the County shall submit for review and written approval of the Executive Officer of the Conservancy (“Executive Officer”):
 - a. A work plan, budget and schedule.
 - b. The names and qualifications of any contractors to be employed to carry out the work plan.
 - c. A detailed signing plan consistent with the sign guidelines for projects funded by the 2000 Parks Bond Act (Proposition 12).
2. Evidence that the County has obtained all necessary permits to carry out the project as designed.
3. Conservancy funding shall be acknowledged by erecting and maintaining a sign the design and placement of which have been approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*) regarding access to the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. The proposed project will serve more than local needs.”

J. TSURAI VILLAGE SITE

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of additional funds in an amount not to exceed forty-four thousand three hundred dollars (\$44,300) to augment the February 27, 2003 authorization to the Yurok Tribe in order to complete the management plan for public access and protection of natural and cultural resources on the Tsurai Village Site located in Trinidad, Humboldt County, as described in Exhibit 1 of the accompanying staff recommendation. This authorization is subject to the condition that, prior to the disbursement of any additional Conservancy funds, the Yurok Tribe shall submit for review and written approval of the Executive Officer of the Conservancy a work plan, budget and schedule including the names and qualifications of any contractors to be employed to carry out the work plan.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that the proposed project remains consistent with the purposes and objectives Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 *et seq.*) regarding access to the coast, and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

Moved and seconded. Consent items were approved by a vote of 4-0

12. EXECUTIVE OFFICER’S REPORT

Long-term financial strategy update was given by Steve Horn. Report is attached to these minutes.

Executive Officer, Sam Schuchat reported that he had nearly completed the hiring process for four new conservancy staff: one to replace Jim King, one to go in to a new Ocean program led by Neal Fishman, and two to be assigned to other regions. By early 2006 the Ocean Program will have four full time staff in addition to part time staff from other regions.

13. DEPUTY ATTORNEY GENERAL’S REPORT

No report given

14. BOARD MEMBER COMMENTS

There were no board member comments

15. PUBLIC COMMENT

Anna Booth, Preserve Our Pier Supporters – Pacifica Pier

16. CLOSED SESSION - A closed session was held to discuss *City of Malibu and David Geffen v. Access for All, California Coastal Commission, California Coastal Conservancy, et al., Los Angeles Superior Court*, Case No BC277034. Counsel presented information to the Conservancy for its consideration regarding settlement of the Geffen litigation. The Conservancy approved the proposed terms of settlement.

17. ADJOURNMENT

The meeting was adjourned at 3:30 pm.